

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Robert Fischer and Stephanie Lukis,
individually and on behalf of all others
similarly situated,

Plaintiffs,

V.

Instant Checkmate LLC,

Defendant.

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Case No.: 1:19-cv-04892

DEFENDANT INSTANT CHECKMATE, LLC'S
FIRST SET OF INTERROGATORIES TO PLAINTIFF ROBERT FISCHER

Defendant Instant Checkmate, LLC (“Instant Checkmate”) propounds the following discovery requests to Plaintiff Robert Fischer:

Unless otherwise indicated in a specific interrogatory, the following definitions and instructions are and shall be considered a part of each interrogatory.

INSTRUCTIONS

1. These interrogatories are continuing in character so as to require you to file supplemental answers if you obtain other, further or different information before trial.
2. Whenever an interrogatory requests the identity or identification of a person, it shall be deemed to include a request for the following information:
 - A. The full name of the person, or, if the full name is not known, the name of the person as known to you;
 - B. The present address and telephone number of the person; and
 - C. If a natural person, the present employer of the individual and the present nature of his employment.

3. Whenever an interrogatory requests the identity or identification of a document, it shall be deemed to include a request for the following information:
 - A. The author or other source of the document;
 - B. The person for whom the document was prepared;
 - C. The person to whom the document was sent; and
 - D. The date the document was prepared.

DEFINITIONS

1. “Fischer” or “You” refers to Plaintiff Robert Fischer.
2. “Plaintiffs” refer collectively to Robert Fischer and Stephanie Lukis.
3. “Defendant” or “Instant Checkmate” refers to Instant Checkmate LLC.
4. “Your Counsel” refers to the attorneys or staff who are employed by the law firm of Beaumont Costales.
5. “Instant Checkmate Website” refers to the website <https://www.instantcheckmate.com/> and all webpages linked or accessible through it.
6. “Related to” or “relating to” shall mean directly or indirectly supporting, evidencing, subscribing, mentioning, referring to, contradicting, comprising, or concerning the subject matter identified in an interrogatory.
7. “Document” includes, without limitation, and without regard to the form of matter of recording, any transcript, report, memorandum, record, letter, telegram, wire, overnight letter, pamphlet, brochure, book, minute, microfilm, instruction manual, telephone log, procedural guideline, microfiche, invoice, calendar, appointment book, note, computer printout, or other writing whether printed, handwritten or otherwise and whether an original, draft or copy.
8. “Communication” or “correspondence” refers to any verbal, written, electronic or other

transmittal of words, thoughts, ideas, or images between or among persons or groups of persons, whether in person, by letter, by telephone or by any other means.

9. “Identity” refers to any attribute of an individual that serves to identify that individual to an ordinary, reasonable viewer or listener, including but not limited to (i) name, (ii) signature, (iii) photograph, (iv) image, (v) likeness, or (vi) voice.
10. “And” as well as “or” shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories any information which might otherwise be construed to be outside of their scope.
11. All other words not specifically defined here shall carry the definition ascribed to them in the most recent edition of Meriam-Webster’s dictionary.

INTERROGATORIES

1. State how many times You have accessed the Instant Checkmate Website and for each occurrence of access identify:
 - a. The name of the individual who accessed the webpage (the “User”);
 - b. The date of access;
 - c. Which pages of the Instant Checkmate Website were accessed; and
 - d. Which name(s) the User searched for on the Instant Checkmate Website.
2. State how many times Your Counsel has accessed the Instant Checkmate Website and for each occurrence of access identify:
 - a. The name of the individual who accessed the webpage (the “User”);
 - b. The date of access;
 - c. Which pages of the Instant Checkmate Website were accessed; and
 - d. Which names the User searched for on the Instant Checkmate Website.

3. State whether You or Your counsel has ever registered for the Instant Checkmate Website.
4. State whether You or Your counsel has ever completed the fillable forms on the “Save Your Search” page of the Instant Checkmate Website and clicked the “SAVE” button.
5. Identify and itemize how and to what extent You claim to have been damaged as a result of Instant Checkmate’s conduct alleged in the Complaint.
6. State how many individuals, other than Yourself and your Counsel observed the display of Your Identity on the Instant Checkmate Website, and for each person identify:
 - a. The name of the individual who accessed the webpage (the “User”);
 - b. The date of access;
 - c. Which pages of the Instant Checkmate Website were accessed; and
 - d. Which names the User searched for on the Instant Checkmate website.
7. State whether You ever requested that Instant Checkmate remove Your Identity information from the Instant Checkmate Website and, if You ever made such a request, list:
 - a. When the request was made; and
 - b. How the request was made (e.g. by letter, email, etc.).
8. State Your date of birth.
9. State each address You have resided at since January 1, 2010 through present.
10. State Your mobile phone service provider(s) since January 1, 2010 through present and for each provider during this time period, state Your mobile phone number(s).
11. State Your internet service provider(s) since January 1, 2010 through present.
12. State Your television service provider(s) since January 1, 2010 through present.
13. State all social media accounts that You have had from January 1, 2010 through the present

(e.g. Facebook, Twitter, Instagram, Snapchat, Google+, etc.) and, for each, state when You first created the account.

14. Identify all “identity” information, as that term is identified by the Illinois Right of Publicity Act (765 ILCS 1075/5), that you allege is displayed on the Instant Checkmate preview page, a screenshot of which is affixed to page three (3) of Your Complaint.
15. Identify all email addresses You have used, both personal and business, at any time from January 1, 2010 through the present.
16. Identify how You discovered that Instant Checkmate used Your identity information as alleged in the Complaint.
17. Identify all information upon which you base your belief that Instant Checkmate used Your identity information as alleged in the Complaint.
18. Identify how You can confirm that You are the individual portrayed or described in the preview page on which you allege Instant Checkmate to have used Your Identity information.
19. Identify all information listed in the preview page for Robert Fischer that is inaccurate information as to Fischer.
20. State how You first learned about Your Counsel.

Dated: November 17, 2020

Respectfully submitted,

GORDON REES SCULLY MANSUKHANI, LLP

/s/ Benjamin R. Kinney

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